

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

LEROY JEFFERS,

Civil No. 10-3746 (JRT/LIB)

Petitioner,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

STATE OF MINNESOTA,

Respondent.

LeRoy Jeffers, 1521 East Twenty-fifth Street, Apartment #1, Minneapolis, MN 55404, pro se petitioner.

David C. Brown, **OFFICE OF THE HENNEPIN COUNTY ATTORNEY**,
300 South Sixth Street, Suite A-2000, Minneapolis, MN 55487 for respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois dated September 14, 2010. Based upon the Report and Recommendation of the Magistrate Judge [Docket No. 5], and all of the files, records and proceedings herein, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Petitioner's application for a writ of habeas corpus, (Docket No. 1), be **DENIED**;
2. Petitioner's application for leave to proceed in forma pauperis, (Docket No. 2), be **DENIED**;
3. This action be **DISMISSED WITH PREJUDICE**; and
4. Petitioner should **NOT** be granted a Certificate of Appealability.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 8, 2010
at Minneapolis, Minnesota

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge